



## Legislation Text

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File #: 20-476, Version: 1

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### **CITY COUNCIL AGENDA ITEM**

#### **ACTION REQUESTED:**

Pass the ordinance pertaining to a local state of emergency and disaster and extending the same until at least May 19, 2020

**DEPARTMENT:** Legal Department

**SUBMITTED BY:** Michael DiSanto, City Attorney

#### **BOARD/COMMISSION REVIEW:**

N/A

#### **BACKGROUND:**

On March 17, 2020, at an emergency Naperville City Council meeting, a local state of emergency and disaster related to the COVID-19 outbreak was declared (see attached *Mayor of Naperville's Declaration of a Local State of Emergency and Disaster* and *City of Naperville Ordinance 20-028 Pertaining to a Local State of Emergency and Disaster*). The local state of emergency and disaster was made to expire on April 21, 2020 unless extended by City Council because at the time the State of Illinois' disaster proclamation was scheduled to expire on April 7, 2020. On April 1, 2020, the Governor of the State of Illinois extended the state's disaster proclamation due to the impact of the COVID-19 outbreak through April 30, 2020.

#### **DISCUSSION:**

Due to the uncertain nature of measures that may be taken on a federal, state, and/or local level to reduce the spread of COVID 19 (hereinafter, the "Emergency"), and the uncertainty of the timeframe during which such measures may need to be taken in order to protect the public and City staff, and to ensure the continued operation of the City, it is necessary and appropriate to extend the local ordinance previously passed in conjunction with the Mayor's Declaration of a Local State of Emergency and Disaster.

The attached ordinance extends the Naperville Declaration of Emergency through the May 19, 2020 City Council meeting or throughout any extension of the Gubernatorial Disaster Proclamation, whichever date is later; or unless sooner terminated by a majority vote of the City Council.

The ordinance authorizes the Mayor, or the Mayor's designee if the Mayor is absent or incapacitated, to take those actions authorized by state statute, the Naperville Municipal Code, the proposed Ordinance, and as reasonably necessary to ensure that day-to-day operation of the City continues in an uninterrupted manner, including but not limited to payment of City bills for which appropriations have previously been approved by the City Council, entering agreements related to the Emergency, extension of deadlines for fees and taxes due to the City, and adjustment of fees due to the City. The

City Manager shall remain responsible for the day-to-day operation of the City as provided by state statute and in the Naperville Municipal Code.

The ordinance also ratifies and adopts the eight executive orders and the one amendment to an executive order issued by the Mayor in the exercise of the emergency powers and authority granted to the Mayor during the duration of the current local state of emergency and disaster. Said executive orders are attached.

**FISCAL IMPACT:**

N/A